IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO.1589 OF 2007

Pinky, Wife of Shaktisingh Deora.. Petitioner

Vs.

State of Maharashtra & Ors. Respondents

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Shri N.K.Singh i/b M/s.M.P.Vashi for the Petitioner.

Smt.V.R.Bhosale, APP for Respondent Nos.1 and 2.

Respondent No.3 present in-person.

Shri Naqvi i/b Shri J.R.Gupta, Advocate for the Respondent No.4.

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CORAM : R.M.S.KHANDEPARKAR &
SMT.V.K.TAHILRAMANI, JJ

DATED : 11TH SEPTEMBER, 2007

1. When the matter came up for hearing on the last Monday the 3rd September, 2007, after hearing the learned Advocates as well as the Petitioner and the Respondent No.3 in person, the matter was adjourned to this date in order to enable the parties to ascertain and find out whether there would be any possibility of amicable settlement.

2. When the matter was called out today, the

Respondent No.3, present in person, stated that he is not interested in living with the petitioner and there has been no restraint or compulsion of whatsoever nature for him to remain away from the petitioner. Considering the same, we do not find any case being made out for the writ in the nature of habeas corpus prayed for by the petitioner.

3. For the reasons stated above, without expressing any opinion in the matter on the other issues which are sought to be raised in the petition which cannot be adjudicated upon in writ jurisdiction, the petition is rejected.

(R.M.S.KHANDEPARKAR, J)

(SMT.V.K.TAHILRAMANI, J)